

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☒ **FEDERAL CANDIDATE**

☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves of The Lowest Unit Charge During a Political Window, Federal Candidates Must Sign The Certification On Page 3

Station and Location: WFSB	Date: 8/6/12
-------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------

I, Beth Beall

being/on behalf of: Linda McMahon, a legally

qualified candidate of the Republican political

party for the office of: Senate

in the PRIMARY

election to be held on: AUGUST 14, 2012

do hereby request station time as follows:

Broadcast Length	Time of Day, Rotation or Package	Days	Class	Times per Week	Number of Weeks
	8/7	- 8/14			

Total Charges: \$ 16,500 GROSS

For programming that, in whole or in part, "communicates a message relating to any political matter of national importance," list the matters below:

I represent that the payment for the above described broadcast time has been furnished by:

Linda McMahon for Senate 2012

and you are authorized to announce the time as paid for by such person or entity.

I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

Songhi Frauen

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

4/30/12
Date

[Signature]
Signature

To Be Signed By Station Representative

☒ Accepted

☐ Accepted in Part

☐ Rejected

[Signature]
Signature

William White
Printed Name

Das
Title

CANDIDATE CERTIFICATION

In Order For Federal Candidates to Receive The Lowest Unit Charge During a Political Window, the Following Certification is Required:

I, Corry Bliss
(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

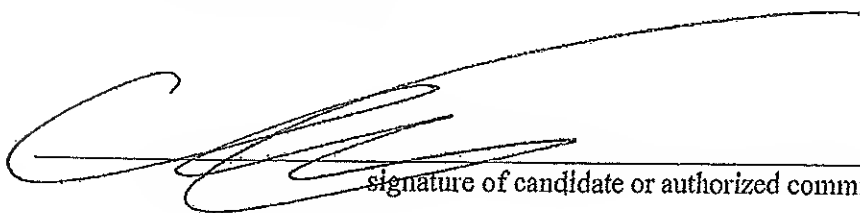
☒ does

☒ does not

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

- ☒ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.
- ☒ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.


signature of candidate or authorized committee

Corry Bliss

printed name

4/30/12

date

REP HEADLINE# 6257956

*** UNAPPROVED REV #2 ***

TRF# 487561

REP: TEL# 703-516-9399

CREDIT ADVISORY: AGENCY CREDIT RISK !!!

ORDER WORKSHEET

FAX# 703-516-9680

HARRIS REPORT FROM REP

CHANGES

AUG8/12 11.25

*** WFSB-TV ***

:LINE#	:REP	:CD	:TIME PERIOD	:LGTH	:SEC	:RATE	:START DATE	:END DATE	:SPTS /WK	:WEEK INVT	:DAYS	:TOTL :SPTS:
AUG/12						16500.00						
CONTRACT TOTAL											16500.00	
TOTAL SPOTS											10	

MARKET TOTALS \$15,900

WFSB 100%

WTNH 0%

WVIT 0%

WTIC 0%

WCTX 0%

WCCT 0%

WHPX 0%

WILL UPDATE SHARES

SVC- NSI BOOKS- AUG/12

DEMOS- RA35+*

MOD CODE A-ADD B-BUY TYPE C-CANCELLED DE-DELETE E-EFF DATES L-LENGTH M-MAKEGOOD N-PROGRAM NAME

P-CLASS,PLAN,SECT Q-PAID PGM R-RATE S-SPOTS PER WEEK T-TIME X-LATE Y-DAYS Z-COMMENTS *-MULTIPLE

CONTRACT



WFSB
333 Capital Blvd
Rocky Hill, CT 06067
(860)728-3333

Contract / Revision 487561 /		Alt Order # 06257956
Product LINDA MCMAHON 4 SENA		
Contract Dates 08/07/12 - 08/14/12		Estimate # 1116
Advertiser McMahon for Senate		Original Date / Revision 08/08/12 / 08/08/12
Billing Cycle EOM/EOC	Billing Calendar Broadcast	Cash/Trade Cash
Station WFSB	Account Executive Heather Uttley	Sales Office HRP-WASHING
Special Handling		
Demographic Adults 35+		
IDB# 1021	Advertiser Code	Product Code
Agency Ref		Advertiser Ref

And:

Mentzer Media Services, Inc.
600 Fairmount Avenue
Suite 306
Towson, MD 21204

*Line	Ch	Start Date	End Date	Description	Start/End Time	Days	Length	Spots/ Week	Rate	Type	Spots	Amount
D 1	WFSB	08/07/12	08/07/12	Eyewitness News	6am - 6:30am		1:00			NM	0	\$0.00
2	WFSB	08/07/12	08/10/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	-T--F--				2	\$800.00			
3	WFSB	08/07/12	08/07/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	-1-----				1	\$3,000.00			
4	WFSB	08/09/12	08/09/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	---1---				1	\$2,400.00			
5	WFSB	08/13/12	08/13/12	Eyewitness News	6am - 6:30am		1:00			NM	1	\$700.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	1-----				1	\$700.00			
6	WFSB	08/13/12	08/14/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	MT-----				2	\$800.00			
N 7	WFSB	08/14/12	08/14/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	-1-----				1	\$3,000.00			
8	WFSB	08/13/12	08/13/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	1-----				1	\$2,400.00			
9	WFSB	08/07/12	08/07/12	Eyewitness News	6am - 6:30am		1:00			NM	1	\$1,800.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	-T-----				1	\$1,800.00			
Totals											10	\$16,500.00

Time Period	# of Spots	Gross Amount	Net Amount
07/30/12 - 08/14/12	10	\$16,500.00	\$14,025.00
Totals	10	\$16,500.00	\$14,025.00

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified.

Meredith Broadcasting does not accept advertising sales agreements that impermissibly discriminate on the basis of race or ethnicity. This non-discrimination provision is a condition of each advertising sales agreement with Meredith Broadcasting, whether verbal or written.



WFSB
333 Capital Blvd
Rocky Hill, CT 06067
(860)728-3333

<u>Contract / Revision</u>		<u>Alt Order #</u>
487561 /		06257956
<u>Contract Dates</u>	<u>Product</u>	<u>Estimate #</u>
08/07/12 - 08/14/12	LINDA MCMAHON 4 SE	1116
<u>Advertiser</u>		<u>Original Date / Revision</u>
McMahon for Senate		08/08/12 / 08/08/12

Signature: _____ Date: _____

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified.

Meredith Broadcasting does not accept advertising sales agreements that impermissibly discriminate on the basis of race or ethnicity. This non-discrimination provision is a condition of each advertising sales agreement with Meredith Broadcasting, whether verbal or written.

JUL31/12 14.4
*** WFSB-TV ***

ADV #	ADV. NAME	POLI/L MCMAHON/R/SEN/CT	REP. #	OFF. #	SALESMAN #
AGY #	AGY. NAME	MENTZER MEDIA SERVICES, INC.	BUYER NAME	ANNE BRAUNSCHEIDEL	
		600 FAIRMOUNT AVENUE, SUITE 306	SALES PRSN	WA- HEATHER UTTLEY (H)	
		TOWSON, MD 21286			

ORDER # _____ CONTRACT # 6257956 CLASS: NATL. LOCAL REGIONAL
PRDCT LINDA MCMAHON 4 SENA EST#1116 COMMENTS: (LINE, ORDER, INVOICE)
FLIGHT DATES AUG7/12 AUG14/12 WK-2

CITY TAX _____ STATE TAX _____ CO-OP BILLING NEEDED _____ DATE JUL31/12 14.48

REP: REVISED ORDER
LN 1 RATE CHANGED
NEW TTL 16500
PLS CFM
THANKS, MIKE FOR HEATHER

CON CM ***** THIS IS A CASH IN ADVANCE SCHEDULE *****
ALL STATIONS USING ELECTRONIC INVOICING - AGENCY IDB #1021
AN ELECTRONIC INV.WEBSITE "EMEDIA TRADE-INVOICING" IS ALSO AVAILBLE
FOR THIS AGENCY. THE IDB# FOR THE WEBSITE IS: EMT12009
IDB # 1021, TV INVOICES #9912736, LINDA MCHMAHON FOR SENATE

:LINE#:	REP	:CD:	TIME PERIOD	:LGTH:	:SEC:	:RATE:	:START DATE:	:END DATE:	:SPTS/WK:	:WEEK INVT:	:DAYS:	:TOTL SPTS:
AGENCY ADVERTISER CODE = 1116												
AGENCY PRODUCT CODE =												
1	R		600A-630A	60		\$1,800.00	8/7	8/7	1		TUE	1
PROGRAM : 6A NEWS												
RA35+ : 6.0												
CON COM1 : 6A NEWS												

CONTRACT



WFSB
 333 Capital Blvd
 Rocky Hill, CT 06067
 (860)728-3333

Contract / Revision 487561 /		Alt Order # 06257956
Product LINDA MCMAHON 4 SENA		
Contract Dates 08/07/12 - 08/14/12		Estimate # 1116
Advertiser McMahon for Senate		Original Date / Revision 07/31/12 / 07/31/12
Billing Cycle EOM/EOC	Billing Calendar Broadcast	Cash/Trade Cash
Station WFSB	Account Executive Heather Uttley	Sales Office HRP-WASHING
Special Handling		
Demographic Adults 35+		
IDB# 1021	Advertiser Code	Product Code
Agency Ref		Advertiser Ref

And:

Mentzer Media Services, Inc.
 600 Fairmount Avenue
 Suite 306
 Towson, MD 21204

*Line	Ch	Start Date	End Date	Description	Start/End Time	Days	Length	Spots/ Week	Rate	Type	Spots	Amount
D 1	WFSB	08/07/12	08/07/12	Eyewitness News	6am - 6:30am		1:00			NM	0	\$0.00
N 2	WFSB	08/07/12	08/10/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/06/12	08/12/12	-T---F--				2	\$800.00			
N 3	WFSB	08/07/12	08/07/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/06/12	08/12/12	-1-----				1	\$3,000.00			
N 4	WFSB	08/09/12	08/09/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/06/12	08/12/12	---1---				1	\$2,400.00			
N 5	WFSB	08/13/12	08/13/12	Eyewitness News	6am - 6:30am		1:00			NM	1	\$700.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/13/12	08/19/12	1-----				1	\$700.00			
N 6	WFSB	08/13/12	08/14/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/13/12	08/19/12	MT-----				2	\$800.00			
N 7	WFSB	08/13/12	08/13/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/13/12	08/19/12	1-----				1	\$3,000.00			
N 8	WFSB	08/13/12	08/13/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/13/12	08/19/12	1-----				1	\$2,400.00			
N 9	WFSB	08/07/12	08/07/12	Eyewitness News	6am - 6:30am		1:00			NM	1	\$1,800.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
	Week:	08/06/12	08/12/12	-T-----				1	\$1,800.00			
Totals											10	\$16,500.00

Time Period	# of Spots	Gross Amount	Net Amount
07/30/12 - 08/14/12	10	\$16,500.00	\$14,025.00
Totals	10	\$16,500.00	\$14,025.00

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified.

Meredith Broadcasting does not accept advertising sales agreements that impermissibly discriminate on the basis of race or ethnicity. This non-discrimination provision is a condition of each advertising sales agreement with Meredith Broadcasting, whether verbal or written.



WFSB
333 Capital Blvd
Rocky Hill, CT 06067
(860)728-3333

Contract / Revision	Alt Order #
487561 /	06257956

Contract Dates	Product	Estimate #
08/07/12 - 08/14/12	LINDA MCMAHON 4 SE	1116

Advertiser	Original Date / Revision
McMahon for Senate	07/31/12 / 07/31/12

Signature: _____ Date: _____

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified.

Meredith Broadcasting does not accept advertising sales agreements that impermissibly discriminate on the basis of race or ethnicity. This non-discrimination provision is a condition of each advertising sales agreement with Meredith Broadcasting, whether verbal or written.

LINE#	REP	CD	TIME PERIOD	LGTH	SEC	RATE	START DATE	END DATE	SPTS /WK	WEEK INVT	DAYS	TOTL SPTS
2			900A-1000A	60		\$800.00	8/7	8/10	2		TU, F	2
	PROGRAM : REGIS & KELLY RA35+ : 4.0 CON COM1: REGIS & KELLY											
3			530P-600P	60		\$3,000.00	8/7	8/7	1		TUE	1
	PROGRAM : 530P NEWS RA35+ : 8.0 CON COM1: 530P NEWS											
4			1100P-1135P	60		\$2,400.00	8/9	8/9	1		THU	1
	PROGRAM : 11P NEWS RA35+ : 7.0 CON COM1: 11P NEWS											
5			600A-630A	60		\$700.00	8/13	8/13	1		MON	1
	PROGRAM : 6A NEWS RA35+ : 6.0 CON COM1: 6A NEWS											
6			900A-1000A	60		\$800.00	8/13	8/14	2		M-TU	2
	PROGRAM : REGIS & KELLY RA35+ : 4.0 CON COM1: REGIS & KELLY											
7			530P-600P	60		\$3,000.00	8/13	8/13	1		MON	1
	PROGRAM : EVE NEWS RA35+ : 8.0 CON COM1: EVE NEWS											
8			1100P-1135P	60		\$2,400.00	8/13	8/13	1		MON	1
	PROGRAM : LATE NEWS RA35+ : 7.0 CON COM1: LATE NEWS											

REP HEADLINE# 6257956
*** ORIGINAL REV#0 ***

0 JUL30/12 13.0 *** WFSB-TV ***

[illegible]

MARKET TOTALS	\$15,900	WFSB	100%	WINH	0%	WVIT	0%	WTIC	0%	WCTX	0%	WCCT	0%	WHPX	0%
CABL 0%															
WILL UPDATE SHARES															
SVC- NSI BOOKS- AUG/12															
DEMOS- RA35+*															

CONTRACT


wfsb.com

WFSB
333 Capital Blvd
Rocky Hill, CT 06067
(860)728-3333

And:

Mentzer Media Services, Inc.
600 Fairmount Avenue
Suite 306
Towson, MD 21204

<u>Contract / Revision</u> 487561 /		<u>Alt Order #</u> 06257956
<u>Product</u> LINDA MCMAHDN 4 SENA		
<u>Contract Dates</u> 08/07/12 - 08/14/12		<u>Estimate #</u> 1116
<u>Advertiser</u> McMahon for Senate		<u>Original Date / Revision</u> 07/30/12 / 07/31/12
<u>Billing Cycle</u> EDM/EOC	<u>Billing Calendar</u> Broadcast	<u>Cash/Trade</u> Cash
<u>Station</u> WFSB	<u>Account Executive</u> Heather Uttley	<u>Sales Office</u> HRP-WASHING
<u>Special Handling</u>		
<u>Demographic</u> Adults 35+		
<u>IDB#</u> 1021	<u>Advertiser Code</u>	<u>Product Code</u>
<u>Agency Ref</u>		<u>Advertiser Ref</u>

*Line	Ch	Start Date	End Date	Description	Start/End Time	Days	Length	Spots/ Week	Rate	Type	Spots	Amount
D 1	WFSB	08/07/12	08/07/12	Eyewitness News	6am - 6:30am		1:00			NM	0	\$0.00
N 2	WFSB	08/07/12	08/10/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	-T--F--				2	\$800.00			
N 3	WFSB	08/07/12	08/07/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	-1-----				1	\$3,000.00			
N 4	WFSB	08/09/12	08/09/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/06/12	08/12/12	---1---				1	\$2,400.00			
N 5	WFSB	08/13/12	08/13/12	Eyewitness News	6am - 6:30am		1:00			NM	1	\$700.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	1-----				1	\$700.00			
N 6	WFSB	08/13/12	08/14/12	9am-10am	9am - 10am		1:00			NM	2	\$1,600.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	MT-----				2	\$800.00			
N 7	WFSB	08/13/12	08/13/12	Eyewitness News	5:30pm - 6pm		1:00			NM	1	\$3,000.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	1-----				1	\$3,000.00			
N 8	WFSB	08/13/12	08/13/12	Eyewitness News	11PM - 11:35PM		1:00			NM	1	\$2,400.00
		<u>Start Date</u>	<u>End Date</u>	<u>Weekdays</u>				<u>Spots/Week</u>	<u>Rate</u>			
Week:		08/13/12	08/19/12	1-----				1	\$2,400.00			
Totals											9	\$14,700.00

Time Period	# of Spots	Gross Amount	Net Amount
07/30/12 - 08/14/12	9	\$14,700.00	\$12,495.00
Totals	9	\$14,700.00	\$12,495.00

Signature: _____ Date: _____

(* Line Transactions: N = New, E = Edited, D = Deleted)

Notwithstanding to whom bills are rendered, advertiser, agency and service, jointly and severally, shall remain obligated to pay to station the amount of any bills rendered by station within the time specified and until payment in full is received by station. Payment by advertiser to agency or to service or payment by agency to service, shall not constitute payment to station. Station will not be bound by conditions, printed or otherwise contracts, insertion orders, copy instructions or any correspondence when such conflict with the above terms and conditions. Two week advance cancellation notice is required unless otherwise specified.

Meredith Broadcasting does not accept advertising sales agreements that impermissibly discriminate on the basis of race or ethnicity. This non-discrimination provision is a condition of each advertising sales agreement with Meredith Broadcasting, whether verbal or written.